

Remarks/Arguments:

Claim Status

Claims 16, 19, 23-28 and 31 are currently pending. Claims 25-28 have been allowed.

Claim Rejection Under 35 U.S.C. § 102

Claim 16 stands rejected under 35 U.S.C. 102(b) as anticipated by Risch (WO 99/42725 A2 which corresponds to U.S. Patent No. 6,450,787) as evidenced by Grieff (U.S. Patent No. 6,497,562). Applicants respectfully traverse the rejection of this claim and respectfully submit that this claim is patentable over the cited reference for the reasons set forth below.

Independent claim 16 recites features that are neither disclosed nor suggested by Risch. Claim 16 recites: [a] supply device for the supply of pressure fluid into at least one vehicle brake comprising: a piston movably arranged in an accommodating member, a carrier bearing a non-return valve arranged coaxially with respect to the piston for ventilating a working chamber into which the piston plunges, a resetting spring arranged between the carrier and the piston, a multi-part cage assembly comprising a plurality of separate cage parts for accommodating the resetting spring into the plurality of separate cage parts, **wherein the resetting spring is caged and simultaneously elastically preloaded under the relative displacement of the plurality of separate cage parts**, and fastening means for locking the multi-part cage assembly comprising at least two locking arms formed on a first cage part and at least two holes formed on a second cage part, **each locking arm of the first cage part having a resiliently deformable and unconstrained end configured for engaging a hole of the second cage part upon relative displacement of the first and second cage parts**.

The Office Action characterizes Risch's valve cartridge (item 7) and holding clip (item 60) as being analogous to separate cage parts, and characterizes Risch's spring (item 13) as being analogous to a resetting spring. Claim 16 recites that the resetting spring is caged and simultaneously elastically preloaded under the relative displacement of the separate cage parts. In contrast to the foregoing language of claim 16, Risch's spring (item 13) is neither housed by Risch's holding clip (item 60) nor is it preloaded by the relative displacement of Risch's holding clip (item 60) and valve cartridge (item 7). In other words, mounting Risch's holding clip (item 60) to the valve cartridge (item 7) has no effect on the loading of Risch's spring (item 13). Risch's holding clip (item 60) is coupled to an exterior surface of Risch's valve cartridge (item

7), whereas Risch's spring (item 13) is positioned between Risch's suction valve (item 10) and the holding element (item 14).

While Risch's spring 13 may be preloaded, it is not preloaded under the relative displacement of Risch's holding clip (item 60) and valve cartridge (item 7). According to Risch, "a preferably cup-shaped holding element 14 for guiding, bearing and holding the compression spring 13 is provided in the valve cartridge 7, with the holding element 14 being positively connected to the cartridge 7" (see column 6, lines 36-47). For purposes of comparison, Applicants' resetting spring 5 is preloaded under the relative displacement of cage parts 17 and 18.

Additionally, Risch's projections 65 and 66, which the Office Action characterizes as being analogous to locking arms, are not resiliently deformable for engaging a hole of another cage part. Risch's projections 65 and 66 are formed on the injection molded valve cartridge 7. According to Risch, the "recesses 63 and 64 in the leg sections 61 and 62, respectively, of the holding clip 60 engage the projections 65 and 66, respectively, laterally formed on the valve cartridge 7" (column 11, lines 45-65). Applicants respectfully submit that the resilient sheet-metal leg sections 61 and 62 of Risch's holding clip 60 are resiliently deformable to snap onto the projections 65 and 66 of Risch's valve cartridge 7, not vice versa as proposed in the Office Action.

Risch therefore fails to disclose or suggest every element of Applicants' claimed invention, as recited in claim 16. Accordingly, for the foregoing reasons, Applicants respectfully submit that independent claim 16 is patentable over Risch and should be allowed. Reconsideration of claim 16 is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 16, 19, 23, 24, and 31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hinz (WO 01/70550) in view of Schuller (U.S. Patent No. 6,361,295), further in view of Grieff (DE 19820136 which corresponds to U.S. Patent No. 6,497,562) and further in view of Risch (WO 99/42725 which corresponds to U.S. Patent No. 6,450,787). Applicants respectfully traverse the rejection of these claims and respectfully submit that these claims are patentable over the cited references for the reasons set forth below.

None of the references disclose or suggest that "a resetting spring is caged and simultaneously elastically preloaded under the relative displacement of the plurality of separate cage parts, and fastening means for locking the multi-part cage assembly comprising at least two locking arms formed on a first cage part and at least two holes formed on a second cage part, each locking arm of the first cage part having a resiliently deformable and unconstrained end configured for engaging a hole of the second cage part upon relative displacement of the first and second cage parts" as recited in claim 16.

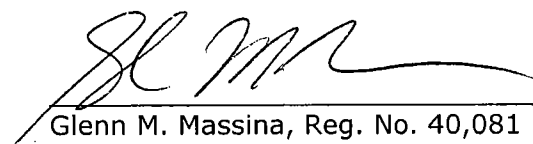
Page 7 of the Office Action states that "Grieff and Risch stand for the proposition that it was known in the art at the time the invention was made to provide cage parts for housing a resetting spring of a piston pump in which one cage part engages a second cage part with arms and holes on respective parts." Applicants respectfully disagree with this interpretation of both Grieff and Risch. The Office Action contends that Risch's holding clip (item 60) and Grieff's clamp (item 120) are analogous to cage parts that house a resetting spring. Risch's holding clip (item 60) and Grieff's clamp (item 120) are not configured to cage and simultaneously elastically preload a resetting spring.

As stated previously, Risch's spring (item 13) is neither housed by Risch's holding clip (item 60) nor is it preloaded by the relative displacement of Risch's holding clip (item 60) and valve cartridge (item 7). Similarly, Grieff's spring (item 101) is neither housed by Grieff's clamp (item 120) nor is it preloaded by the relative displacement of Grieff's clamp (item 120) and valve cartridge (item 8). Accordingly, because claim 16 includes features that are neither disclosed nor suggested by the cited references, *prima facie* obviousness cannot be established based on the cited references. The dependent claims that stand rejected should also be allowed at least as being dependent upon an allowable base claim. Reconsideration of claims 16, 19, 23, 24, and 31 is respectfully requested.

Conclusion

Applicants respectfully submit that this application is in condition for allowance, which action is respectfully requested. If the Examiner believes an interview, either telephonic or in person, will advance the prosecution of this application, it is respectfully requested that the Examiner contact the undersigned to arrange the same.

Respectfully submitted,



Glenn M. Massina, Reg. No. 40,081
Brett J. Rosen, Reg. No. 56,047
Attorneys for Applicants

GMM/BJR/mc

Dated: December 21, 2009

☒ P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

☐ P.O. Box 1596
Wilmington, DE 19899
(302) 778-2500

The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith.